

REMARKS

Claims 64-99 are in the application for consideration.

In the latest action, the Examiner alleges that Applicant's Response filed on January 24, 2005 is not fully responsive to the prior Office Action. Specifically, it is alleged that Applicant has elected at least one claim that does not read on the elected species. The Examiner is mistaken, and reconsideration is requested.

The Examiner's allegation is with respect to claim 68. Such recites that the plasma conditions comprise application of energy to the chamber at a power level capable of sustaining plasma conditions within the chamber with the second precursor gas, and commencing application of said energy to the chamber at an increasing power level up to said plasma capable power level after commencing flow of the second precursor gas to the chamber. Referring to Fig. 8, power level 40 is an example of a power level capable of sustaining plasma conditions within the chamber with the second precursor gas. Steady-state first power 62 can be insufficient to generate plasma from flowing of the second precursor gas to the chamber. (See the specification at p.20, Ins.21-22). Fig. 8 depicts commencing application of said energy to the chamber at an increasing power level up to plasma capable power level 40, and which commences at a time point 82, which is after commencing the flow of second precursor gas P3 to the chamber, which is depicted at a time point 80. (See specification p.23, Ins.13-16). Accordingly, Applicant's dependent claim 68 does indeed read upon the

exemplary embodiment of Fig. 8, and thereby, reads upon the elected species.

If the Examiner still disagrees with the above analysis, and still asserts that Applicant's previously filed response is not fully responsive due to the inclusion of dependent claim 68, the undersigned respectfully requests a telephone interview.

Favorable action on the merits is respectfully requested.

Respectfully submitted,

Dated: 5-4-05

By: 

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